

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LISA GARVEY, individually and on
behalf of others similarly situated,

Plaintiff,

v.

KMART CORPORATION,

Defendant.

No. C 11-02575 WHA

**NOTICE RE STATEMENT
REGARDING JURY DEMAND**

A prior order inquired about plaintiff's untimely demand for a jury trial and whether plaintiff was still making such a demand. Plaintiff responds that she is no longer demanding a jury trial.

The prior order was *not* an invitation for defendant to make its own untimely motion for a jury trial. Nonetheless, defendant now seeks to file a motion for a jury trial. This is untimely by more than a year. Defendant may file an administrative motion to shorten the briefing schedule, but good cause must be shown for its year-long delay.

Dated: October 25, 2012.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE